

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chair Frank Garner, on February 17, 2015 at 8:00 AM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Jeff Essmann, Chair (R)
Rep. Bill Harris, Vice Chair (R)
Rep. Casey Schreiner, Vice Chair (D)
Rep. Bryce Bennett (D)
Rep. Bob Brown (R)
Rep. Moffie Funk (D)
Rep. Frank Garner (R)
Rep. Edward Greef (R)
Rep. Denise Hayman (D)
Rep. Jessica Karjala (D)
Rep. Debra Lamm (R)
Rep. Forrest Mandeville (R)
Rep. Wendy McKamey (R)
Rep. Dale Mortensen (R)
Rep. Jean Price (D)
Rep. Ray L. Shaw (R)
Rep. Kathy Swanson (D)
Rep. Susan Webber (D)

Members Excused:

Rep. Austin Knudsen (R)
Rep. Art Wittich (R)

Members Absent: None

Staff Present: Jennifer Petersen, Committee Secretary
Sheri Scurr, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 464, 2/13/2015; HB 408, 2/13/2015; HJ 12, 2/13/2015

00:00:01 Chair Garner
00:00:46 *Rep. Essmann leaves*

HEARING ON HB 408

Opening Statement by Sponsor:

00:01:26 Rep. Greg Hertz (R), HD 12, opened the hearing on HB 408, Revise contract rights for new members of public employee retirement plans.
00:03:13 *Rep. Wittich arrives*
00:03:46 Chair Garner

Proponents' Testimony: None

Opponents' Testimony:

00:03:59 Dore Schwinden, Montana Public Employees Retirement Administration (MPERA)
00:04:15 Chair Garner
00:04:24 Shawn Graham, Executive Director, Teachers Retirement System (TRS)
00:04:47 Chair Garner

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:05:10 Rep. Hertz
00:05:19 Rep. Garner

HEARING ON HJ 12

Opening Statement by Sponsor:

00:05:52 Rep. Greg Hertz (R), HD 12, opened the hearing on HJ 12, Joint resolution recognizing the significance of the Miracle of America Museum.
00:10:45 Chair Garner

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:12 Rep. Mandeville
00:11:31 Rep. Hertz
00:11:38 Rep. Mandeville
00:11:53 Rep. McKamey
00:12:12 Rep. Hertz
00:12:41 Rep. McKamey

00:12:54 Rep. Hertz
 00:13:25 Rep. Funk
 00:14:00 Rep. Hertz
 00:14:04 Rep. Karjala
 00:14:31 Rep. Hertz
 00:15:07 Rep. Karjala
 00:15:25 Rep. B. Brown
 00:16:05 Rep. Hertz
 00:16:28 Chair Garner
 00:16:33 Rep. Shaw

Closing by Sponsor:

00:16:54 Rep. Hertz
 00:17:07 Chair Garner

HEARING ON HB 464

Opening Statement by Sponsor:

00:17:24 Rep. Zach Brown (D), HD 63, opened the hearing on HB 464, High-performance certification program for existing buildings.

[**EXHIBIT\(sth36a01\)**](#)

[**EXHIBIT\(sth36a02\)**](#)

00:27:31 Chair Garner

Proponents' Testimony:

00:27:41 Kyla Maki, Montana Environmental Information Center (MEIC)
 00:30:45 Chair Garner

Opponents' Testimony: None

Informational Testimony:

00:31:00 Russ Katherman, Architecture and Engineering Division, Department of Administration, (DOA)

Questions from Committee Members and Responses:

00:31:27 Rep. Harris
 00:32:27 Rep. Z. Brown
 00:33:30 Rep. Harris
 00:34:07 Rep. Z. Brown
 00:34:22 Rep. Greef
 00:35:11 Rep. Z. Brown
 00:38:06 Rep. Greef
 00:38:20 Rep. Z. Brown
 00:38:45 Rep. Wittich
 00:39:45 Rep. Z. Brown
 00:41:51 Rep. Wittich
 00:43:06 Rep. Z. Brown
 00:46:11 Rep. Wittich
 00:46:56 Rep. Z. Brown

00:47:00 Chair Garner
00:47:08 Russ Katherman, DOA
00:48:47 Chair Garner
00:48:55 Rep. Hayman
00:49:37 Rep. Z. Brown
00:50:38 Rep. Hayman
00:51:14 Rep. Z. Brown
00:51:44 Rep. McKamey
00:52:08 Russ Katherman, DOA
00:52:33 Rep. McKamey
00:52:43 Russ Katherman, DOA
00:53:47 Rep. McKamey
00:54:11 Rep. McKamey
00:54:26 Rep. Mandeville
00:55:12 Rep. Z. Brown
00:56:04 Rep. B. Brown
00:57:56 Rep. Z. Brown
00:59:35 Rep. Shaw
01:00:00 Rep. Z. Brown
01:00:04 Rep. Shaw
01:01:03 Rep. Z. Brown
01:01:44 Rep. Webber
01:01:53 Rep. Harris
01:02:40 Rep. Z. Brown
01:02:53 Chair Garner

Closing by Sponsor:

01:03:01 Rep. Z. Brown

01:03:27 Chair Garner, Recess (*Rep. Lamm leaves*)
01:23:12 Chair Garner, Reconvene

EXECUTIVE ACTION ON HJ 12

01:23:59 **Motion:** Rep. Harris moved that **HJ 12 DO PASS.**

01:24:36 **Vote:** Motion carried unanimously by voice vote. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

EXECUTIVE ACTION ON HB 408

01:25:24 **Motion:** Rep. Harris moved that **HB 408 BE TABLED.**

01:25:35 **Vote:** Motion carried unanimously by voice vote. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

EXECUTIVE ACTION ON HB 335

01:26:03 Chair Garner

01:26:49 **Motion:** Rep. Harris moved that **HB 335 DO PASS.**

01:27:20 Sheri Scurr, Legislative Services Division (LSD)

01:27:48 Chair Garner

01:27:51 **Motion:** Rep. B. Bennett moved that **HB 335 BE AMENDED.**

EXHIBIT(sth36a03)

01:28:09 Sheri Scurr, LSD

Discussion:

01:31:31 Chair Garner

01:31:35 Rep. Mandeville

01:32:27 Rep. B. Bennett

01:33:10 Sheri Scurr, LSD

01:34:17 Chair Garner

01:34:27 **Vote:** Motion failed 8-12 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting aye. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

01:35:52 Rep. Mandeville

01:36:38 **Motion:** Rep. McKamey moved that **HB 335 BE TABLED.**

Vote: Motion carried 12-8 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting no. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

EXECUTIVE ACTION ON HB 406

01:38:00 Chair Garner

01:38:23 **Motion:** Rep. Harris moved that **HB 406 DO PASS.**

01:38:35 **Motion:** Rep. B. Bennett moved that **HB 406 BE AMENDED.**

EXHIBIT(sth36a04)

01:39:56 Sheri Scurr, LSD

Discussion:

01:41:48 Chair Garner

01:41:58 Rep. Wittich

01:42:46 Chair Garner
 01:42:50 Rep. B. Bennett
 01:43:21 Rep. Wittich
 01:43:40 Rep. B. Bennett
 01:44:37 Rep. Wittich
 01:45:21 Sheri Scurr, LSD
 01:45:50 Rep. B. Bennett
 01:46:32 Chair Garner

01:46:38 **Vote:** Motion failed 8-12 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting aye. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

01:47:55 Rep. Schreiner
 01:48:23 Rep. McKamey
 01:49:00 Rep. Schreiner
 01:49:55 Chair Garner

01:49:59 **Vote:** Motion failed 8-12 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting aye. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

01:51:16 **Motion:** Rep. Mandeville moved that **HB 406 BE TABLED AND THE VOTE REVERSED.**

01:51:33 Rep. B. Brown

01:51:51 **Substitute Motion/Vote:** Rep. Mortensen made a substitute motion that **HB 406 BE TABLED.** Motion carried 12-8 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting no. Rep. Essmann, Rep. Knudsen and Rep. Lamm voted by proxy.

01:52:48 *Rep. Essmann arrives*

EXECUTIVE ACTION ON HB 418

01:54:17 Chair Essmann
 01:54:54 Sher Scurr, LSD
 01:55:37 Chair Essmann

01:55:59 **Motion:** Rep. Harris moved that **HB 418 DO PASS.**

Discussion:
 01:56:14 Rep. Hayman
 01:57:49 Chair Essmann
 01:57:54 Rep. McKamey

01:58:23 **Substitute Motion:** Rep. Shaw made a substitute motion that **HB 418 BE TABLED.**

Vote: Motion carried 12-8 by roll call vote with Rep. Bennett, Rep. Funk, Rep. Hayman, Rep. Karjala, Rep. Price, Rep. Schreiner, Rep. Swanson and Rep. Webber voting no. Rep. Knudsen and Rep. Lamm voted by proxy.

02:00:18 Chair Essmann
02:00:46 Rep. Garner
02:01:07 Chair Essmann

EXECUTIVE ACTION ON HB 431

02:01:15 **Motion:** Rep. Harris moved that **HB 431 DO PASS.**

02:01:27 Rep. B. Bennett
02:02:13 Rep. McKamey
02:02:24 Chair Essmann
02:02:41 Sheri Scurr, LSD

EXHIBIT(sth36a05)

02:03:29 Chair Essmann
02:03:39 Sheri Scurr, LSD

02:03:43 **Motion:** Rep. Harris moved that **HB 431 BE AMENDED.**

02:04:01 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen and Rep. Lamm voted by proxy.

02:04:22 **Motion:** Rep. Harris moved that **HB 431 DO PASS AS AMENDED.**

02:04:45 **Vote:** Motion carried unanimously by voice vote. Rep. Knudsen and Rep. Lamm voted by proxy.

02:05:05 Chair Essmann
02:05:22 Rep. Schreiner
02:05:47 Chair Essmann
02:06:01 Rep. Wittich
02:07:30 Chair Essmann
02:07:49 Rep. Schreiner
02:08:13 Chair Essmann

ADJOURNMENT

Adjournment: 02:08:43

Jennifer Petersen, Secretary

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Additional Documents:

EXHIBIT([sth36aad.pdf](#))